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N.J. BOARD OF DENTISTRY  
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ATTORNEY GENERAL OF NEW JERSEY

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC  
SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY  
DOCKET NO.

In the Matter of )  
 )  
 ) Administrative Action  
 )  
 JOSEPH A. IZZO, JR., D.M.D. ) REINSTATEMENT ORDER  
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This matter was opened to the New Jersey State Board of Dentistry (hereinafter "Board") upon the filing of an Application for License Reactivation by Pamela Mandel, Esq., counsel for Joseph A. Izzo, Jr., D.M.D. , such Application being supported by numerous documents attesting to the rehabilitation of Dr. Izzo with respect to his personal use of drugs including, but not limited to, reports from Richard Bowe, M.A., drug counselor, and Dr. Frederick Rotgers of the Impaired Dentists Program. The Board also considered the psychological evaluation submitted by Frank J. Dyer, Ph.D., the Board appointed consultant, concerning an examination conducted on October 27, 1989. Dr. Izzo personally appeared before the Board with counsel on August 8, 1990, to request reinstatement of his license to practice dentistry.

The Board thoroughly reviewed the entire record before it

and after diligent deliberations determined to enter the Reinstatement Order as follows:

IT IS, THEREFORE, ON THIS 2<sup>nd</sup> DAY OF August 1990,

ORDERED THAT:

1. The license of Joseph A. Izzo, Jr., D.M.D., to practice dentistry in the State of New Jersey shall be reinstated effective on the entry date of the within Reinstatement Order, expressly contingent upon continuing compliance with the following terms and conditions:

- a. Dr. Izzo may practice dentistry only as the employee and under the direct supervision of a New Jersey licensed dentist. Dr. Izzo shall inform the employing dentist of his prior drug addiction problem and advise the employer that he may not have access to controlled dangerous substances. Dr. Izzo shall provide to the Board the name and address of the employing dentist, and he shall cause the employing dentist to submit reports to the Board confirming that he or she has been advised of his prior addiction problems and evaluating his competence and performance. These reports shall be submitted to the Board on a quarterly basis. Dr. Izzo shall not be permitted to own or operate any dental facility.
- b. Dr. Izzo shall have his urine monitored under the supervision of the Impaired Dentists Program

on a random, unannounced basis, one time per week in accordance with his present monitoring program. The urine monitoring shall be conducted with direct witnessing of the taking of the samples either from a volunteer or drug clinic staff as arranged and designated by the Impaired Dentists Program. The initial drug screen will utilize the EMIT technique and all confirming tests and/or secondary tests will be performed by gas chromatography/mass spectrometry (GC/MS). The testing procedure will include a forensic chain of custody protocol to ensure sample integrity and to provide documentation to withstand a legal challenge. The Impaired Dentists Program shall be responsible to assure that all urine samples are handled by a laboratory competent to provide these services. All test results shall be provided in the first instance directly to the Impaired Dentists Program, and any positive result will be reported immediately by the Program to William Gutman, Executive Director of the Board, or his designee in the event he is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy

and reliability of the testing. Any failure by Dr. Izzo to submit or provide a urine sample within 24 hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Dr. Izzo is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Dr. Frederick Rotgers or Dr. Barbara McCrady of the Impaired Dentists Program. Neither the volunteer or drug clinic staff shall be authorized to consent to waive a urine test. The Impaired Dentists Program shall advise the Board of every instance where a request has been made to waive a urine test together with the Program's determination in each such case. The Board may, in its sole discretion, modify the frequency of testing or method of reporting during the monitoring period. Dr. Izzo shall be responsible for all costs connected with the urine monitoring program.

- c. Dr. Izzo shall not prescribe controlled dangerous substances, nor shall he possess such substances, except pursuant to a bona fide prescription written by a physician for good medical cause in his own treatment. In addition, Dr. Izzo shall advise any and all

treating physicians and/or dentists of his history of substance abuse. He shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication and confirming that the practitioner was advised in advance of the history of substance abuse. Such report shall be provided to the Board no later than 7 days subsequent to the prescription in order to avoid any confusion which may be caused by a confirmed positive urine test as a result of such medication.

- d. Dr. Izzo shall attend support groups including AA/NA at a frequency of no less than three (3) times per week. Dr. Izzo shall provide evidence of attendance at such groups directly to the Impaired Dentists Program on a form or in the manner as required by the Program. The Impaired Dentists Program shall advise the Board immediately in the event it receives information that Dr. Izzo has discontinued attendance at any of the support groups.
- e. Dr. Izzo shall continue in counseling with Richard Bowe at a frequency of one time per three week period. Dr. Izzo shall cause Richard Bowe to provide the Board with quarterly reports in regard

to his attendance and progress in counselling.

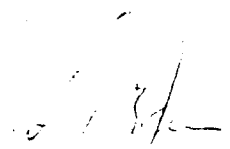
- f. Dr. Izzo shall provide appropriate releases to any and all parties who are participating in the monitoring program as outlined herein as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.
- g. A copy of the within Order shall be provided by Dr. Izzo to any and all parties, including the Impaired Physicians Program, who are currently participating in the monitoring program as outlined herein or who are assigned in the future to participate in this Program or any individual or institution succeeding to their respective monitoring functions.

2. All costs associated with the monitoring program as outlined herein shall be paid directly by Dr. Izzo.

3. It is expressly understood and agreed that continued licensure with restrictions as ordered herein is contingent upon strict compliance with all of the aforementioned conditions. Upon the Board's receipt of any information indicating that any term of the within Order has been violated in any manner whatsoever, including, but not limited to, a verbal report of a confirmed positive urine or any other evidence that Dr. Izzo has used an addictive substance, a hearing shall be held on short notice before the Board or before one member of the Board authorized to act on its behalf. The proofs at such a hearing

shall be limited to evidence of the particular violation at issue.

4. Dr. Izzo may apply for modification of the terms and conditions of the within Order no sooner than one (1) year from the entry date herein. Prior to making application for modification, Dr. Izzo shall submit to a supplemental psychological evaluation to be conducted by a Board appointed psychologist.

  
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SAMUEL E. FURMAN, D.D.S.  
PRESIDENT  
STATE BOARD OF DENTISTRY

CERTIFIED TRUE COPY

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The Board thoroughly reviewed the entire record before it



and after diligent deliberations determined to enter the Reinstatement Order as follows:

IT IS, THEREFORE, ON THIS 23<sup>rd</sup> DAY OF August 1990,  
ORDERED THAT:

1. The license of Joseph A. Izzo, Jr., D.M.D., to practice dentistry in the State of New Jersey shall be reinstated effective on the entry date of the within Reinstatement Order, expressly contingent upon continuing compliance with the following terms and conditions:

- a. Dr. Izzo may practice dentistry only as the employee and under the direct supervision of a New Jersey licensed dentist. Dr. Izzo shall inform the employing dentist of his prior drug addiction problem and advise the employer that he may not have access to controlled dangerous substances. Dr. Izzo shall provide to the Board the name and address of the employing dentist, and he shall cause the employing dentist to submit reports to the Board confirming that he or she has been advised of his prior addiction problems and evaluating his competence and performance. These reports shall be submitted to the Board on a quarterly basis. Dr. Izzo shall not be permitted to own or operate any dental facility.
- b. Dr. Izzo shall have his urine monitored under the supervision of the Impaired Dentists Program

on a random, unannounced basis, one time per week in accordance with his present monitoring program. The urine monitoring shall be conducted with direct witnessing of the taking of the samples either from a volunteer or drug clinic staff as arranged and designated by the Impaired Dentists Program. The initial drug screen will utilize the EMIT technique and all confirming tests and/or secondary tests will be performed by gas chromatography/mass spectrometry (GC/MS). The testing procedure will include a forensic chain of custody protocol to ensure sample integrity and to provide documentation to withstand a legal challenge. The Impaired Dentists Program shall be responsible to assure that all urine samples are handled by a laboratory competent to provide these services. All test results shall be provided in the first instance directly to the Impaired Dentists Program, and any positive result will be reported immediately by the Program to William Gutman, Executive Director of the Board, or his designee in the event he is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy

and reliability of the testing. Any failure by Dr. Izzo to submit or provide a urine sample within 24 hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Dr. Izzo is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Dr. Frederick Rotgers or Dr. Barbara McCrady of the Impaired Dentists Program. Neither the volunteer or drug clinic staff shall be authorized to consent to waive a urine test. The Impaired Dentists Program shall advise the Board of every instance where a request has been made to waive a urine test together with the Program's determination in each such case. The Board may, in its sole discretion, modify the frequency of testing or method of reporting during the monitoring period. Dr. Izzo shall be responsible for all costs connected with the urine monitoring program.

- c. Dr. Izzo shall not prescribe controlled dangerous substances, nor shall he possess such substances, except pursuant to a bona fide prescription written by a physician for good medical cause in his own treatment. In addition, Dr. Izzo shall advise any and all

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- e. Dr. Izzo shall continue in counseling with Richard Bowe at a frequency of one time per three week period. Dr. Izzo shall cause Richard Bowe to provide the Board with quarterly reports in regard

to his attendance and progress in counselling.

f. Dr. Izzo shall provide appropriate releases to any and all parties who are participating in the monitoring program as outlined herein as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.

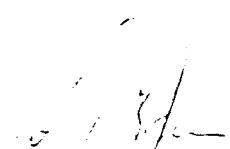
g. A copy of the within Order shall be provided by Dr. Izzo to any and all parties, including the Impaired Physicians Program, who are currently participating in the monitoring program as outlined herein or who are assigned in the future to participate in this Program or any individual or institution succeeding to their respective monitoring functions.

2. All costs associated with the monitoring program as outlined herein shall be paid directly by Dr. Izzo.

3. It is expressly understood and agreed that continued licensure with restrictions as ordered herein is contingent upon strict compliance with all of the aforementioned conditions. Upon the Board's receipt of any information indicating that any term of the within Order has been violated in any manner whatsoever, including, but not limited to, a verbal report of a confirmed positive urine or any other evidence that Dr. Izzo has used an addictive substance, a hearing shall be held on short notice before the Board or before one member of the Board authorized to act on its behalf. The proofs at such a hearing

shall be limited to evidence of the particular violation at issue.

4. Dr. Izzo may apply for modification of the terms and conditions of the within Order no sooner than one (1) year from the entry date herein. Prior to making application for modification, Dr. Izzo shall submit to a supplemental psychological evaluation to be conducted by a Board appointed psychologist.



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